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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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OCT 05 2004

Applicants: BANI-HASHEMI et al.

Application Serial No.: 10/004,363

Filing Date: November 1, 2001

For: PATIENT POSITIONING SYSTEM
EMPLOYING SURFACE
PHOTOGRAMMETRY

) Group Art Unit: 3737

) Examiner: Mantis Mercader,, Eleni M.

) AMENDMENT and RESPONSE to
) August 3, 2004 Advisory Action

) Attorney Docket No.: 2001P18496US

CERTIFICATE OF FACSIMILE TRANSMISSION

The undersigned hereby certifies that this document is being
facsimile transmitted to the fax number and date given below.

Facsimile Number: 703-872 9306

No. of Pages: 3 (Recd) + 11 (Att.) + 14 (And.) = 18

Date: 10-05-04

By Raquel West:

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450PETITION FOR EXTENSION OF TIME

Sir:

Applicants hereby petition for an extension of time in the above-identified patent application in order to respond to the Final Office Action of a Non-Provisional Application mailed August 3, 2004. This extension is for one (1) month and will extend the due date from August 5, 2004 to October 5, 2004. A response is enclosed herewith.

Please charge Deposit Account No. 19-2179 for the extension fee of \$430.00. The Assistant Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 19-2179. A duplicate copy of this petition is enclosed.

PLEASE SEND ALL CORRESPONDENCE TO:
SIEMENS CORPORATION-Customer ID No. 28524
Intellectual Property Dept.
170 Wood Avenue South
Iselin, New Jersey 08830

Respectfully submitted,

Jenny B. Ko, Reg. No.: 44,190

Attorney for Applicant(s)

Date: 10/5/04

Phone: 650-694-5810

10/05/2004 LTR001 0000002 192179 10004363

01 10/05/2004 064.00 DA
02 10/05/2004 430.00 DA

PAGE 4/18 * RCVD AT 10/5/2004 8:24:36 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-110 * DNIS:8729306 * CSID:6509684517 * DURATION (mm:ss):05:04

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**For: PATIENT POSITIONING SYSTEM
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Examiner: Mantis Mercader,, Eleni M.

Attorney Docket No.: 2001P18496US

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No. of Page: 3(RCE) + 1(ERT.) + 14(And.) = 18

Date: _____

By Rachel West:

**Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

REQUEST FOR CONTINUED EXAMINATION (RCE)
UNDER 37 C.F.R. §1.114

Sir:

1. Applicant hereby requests continued examination, in accordance with 37 C.F.R. §1.114, for the above identified application.

TIME REQUEST IS BEING MADE

2. This request is being submitted:

- I. ☒ Prior to abandonment of the application
- II. ☐ Payment of the issue fee
- ☐ Prior to payment of issue fee
- ☐ Issue fee has been paid but a petition under §1.313 has been submitted herewith and this RCE should be deemed to be filed.

Attorney Docket No. 2002P10229US
Appln. No. 10/252,912

- iii. ☐ Prior to a decision on appeal to the Board of Patent Appeals & Interferences
☐ A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed
- iv. ☐ Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 114 OR
☐ Commencement of a civil action under 35 U.S.C. 146
☐ Prior to the filing of such appeal or commencement of civil action
☐ Such appeal or commencement of civil action has been terminated

SUBMISSIONS AND ENCLOSURES

3. a. Submission required under 37 CFR §1.114
☐ Previously submitted:
i. ☐ Consider the amendment(s)/reply under 37 CFR §1.116 previously filed on _____
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. ☒ Other: Amendment
- b. Enclosed herewith is/are:
☒ A Petition for Extension of Time for two month(s).
☐ An Information Disclosure Statement (37 C.F.R. §1.98) with PTO-1449 and _____ rences.
☐ An amendment
☐ New arguments
☐ New evidence in support of patentability
☐ Other: Preliminary Amendment

FEE FOR REQUEST (37 C.F.R. §1.17(e))

4. ☒ Filing fee has been calculated as shown below (other than small entity):

For	Claims Remaining	Highest Number Previously Paid For	Present Extra	x Rate	Additional Fees
Total Claims	26	- 23	= 3	x \$ 18	\$54
Indep. Claim	4	- 4	= 0	x \$ 86	\$-0-
<input type="checkbox"/> First Presentation of a Multiple Dependent Claim				x \$270	\$-0-
Basic filing Fee					\$ 770.00
Total					\$ 824.00

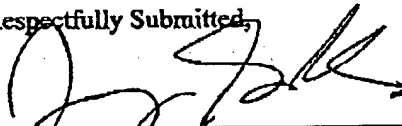
Attorney Docket No. 2002P10229US
Appln. No. 10/252,912

5. ☒ Please charge Deposit Account No. 19-2179 in the amount of \$ 824.00. The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Account No. 19-2179 pursuant to 37 C.F.R. §1.25. A duplicate copy of this sheet is enclosed.
6. ☒ This application, as amended, names as inventors:
☒ the same inventors as previously designated for the claims.
☐ fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.
☐ a person not named previously as an inventor and a petition under 37 C.F.R. §1.48 is/has separately: ☐ being filed ☐ been filed
7. ☐ A request for deferral of examination accompanies this Request for Continued Examination

PLEASE MAIL CORRESPONDENCE TO:

Siemens Corporation-Customer ID No. 28524
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

Respectfully Submitted,



Jenny G. Ko
Attorney for Applicant(s)
Reg. No.: 44,190
Date: 10/5/04
Telephone No.: (650) 694-5810